

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Bill No. 0636, Page 5, Section 67.2010, Line 16, by inserting immediately after said line the following:

“70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if

1 performed by an officer, employee or designated agent of the agency acting within the scope of his
2 or her employment or agency;

3 (2) Rules shall apply with equal force to any person assisting, aiding or abetting another,
4 including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another
5 in the avoidance of any of the requirements of the rules; and

6 (3) The singular shall mean and include the plural; the masculine gender shall mean the
7 feminine and the neuter genders; and vice versa.

8 3. (1) No person shall use or enter upon the light rail conveyances of the agency without
9 payment of the fare or other lawful charges established by the agency. Any person on any such
10 conveyance must have properly validated fare media in his possession. This ticket must be valid
11 to or from the station the passenger is using, and must have been used for entry for the trip then
12 being taken;

13 (2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare
14 media to gain entry to the facilities or conveyances of, or make use of the services of, the agency,
15 except as provided, authorized or sold by the agency and in accordance with any restriction on the
16 use thereof imposed by the agency;

17 (3) No person shall enter upon parking lots designated by the agency as requiring payment
18 to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly
19 displayed at each location, without payment of such fees or other lawful charges established by
20 the agency;

21 (4) Except for employees of the agency acting within the scope of their employment, no
22 person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass,
23 badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or
24 use of the facilities, conveyances or services of the agency without the written permission of an
25 authorized representative of the agency;

26 (5) No person shall put or attempt to put any paper, article, instrument or item, other than

1 a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare
2 media issued by the agency and valid for the place, time and manner in which used, into any fare
3 box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection
4 instrument, receptacle, device, machine or location;

5 (6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been
6 forged, counterfeited, imitated, altered or improperly transferred or that have been used in a
7 manner inconsistent with this section shall be confiscated;

8 (7) No person may perform any act which would interfere with the provision of transit
9 service or obstruct the flow of traffic on facilities or conveyances or which would in any way
10 interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances
11 of the agency;

12 (8) All persons on or in any facility or conveyance of the agency shall:

13 (a) Comply with all lawful orders and directives of any agency employee acting within the
14 scope of his employment;

15 (b) Obey any instructions on notices or signs duly posted on any agency facility or
16 conveyance; and

17 (c) Provide accurate, complete and true information or documents requested by agency
18 personnel acting within the scope of their employment and otherwise in accordance with law;

19 (9) No person shall falsely represent himself or herself as an agent, employee or
20 representative of the agency;

21 (10) No person on or in any facility or conveyance shall:

22 (a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary
23 condition, including, but not limited to, spitting and urinating, except in facilities provided;

24 (b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic
25 beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and
26 restaurants;

1 (c) Enter or remain in any facility or conveyance while his ability to function safely in the
2 environment of the agency transit system is impaired by the consumption of alcohol or by the
3 taking of any drug;

4 (d) Loiter or stay on any facility of the agency;

5 (e) Consume foods or liquids of any kind, except in those areas specifically authorized by
6 the agency;

7 (f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except
8 in those areas or locations specifically authorized by the agency; or

9 (g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or
10 in a facility or conveyance;

11 (11) No weapon or other instrument intended for use as a weapon may be carried in or on
12 any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a
13 weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument
14 of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded
15 with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall
16 not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other
17 container which completely conceals the item from view and identification as a weapon;

18 (12) No explosives, flammable liquids, acids, fireworks or other highly combustible
19 materials or radioactive materials may be carried on or in any facility or conveyance, except as
20 authorized by the agency;

21 (13) No person, except as specifically authorized by the agency, shall enter or attempt to
22 enter into any area not open to the public, including, but not limited to, motorman's cabs,
23 conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms,
24 concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns,
25 train yards, garages, depots or any area marked with a sign restricting access or indicating a
26 dangerous environment;

1 (14) No person may ride on the roof, the platform between rapid transit cars, or on any
2 other area outside any rapid transit car or bus or other conveyance operated by the agency;

3 (15) No person shall extend his hand, arm, leg, head or other part of his or her person or
4 extend any item, article or other substance outside of the window or door of a moving rapid transit
5 car, bus or other conveyance operated by the agency;

6 (16) No person shall enter or leave a rapid transit car, bus or other conveyance operated
7 by the agency except through the entrances and exits provided for that purpose;

8 (17) No animals may be taken on or into any conveyance or facility except the following:

9 (a) An animal enclosed in a container, accompanied by the passenger and carried in a
10 manner which does not annoy other passengers; and

11 (b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly
12 harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs
13 accompanying trainers carrying a certificate of identification issued by a dog school;

14 (18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or
15 safety of others or without due caution and circumspection, or at a speed in such a manner as to be
16 likely to endanger persons or property on facilities of the agency. The speed limit on parking lots
17 and access roads shall be posted as fifteen miles per hour unless otherwise designated.

18 4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any
19 violation of this section shall constitute a misdemeanor, and any person committing a violation
20 thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall
21 pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty
22 dollars per violation, in addition to court costs. Any default in the payment of a fine imposed
23 pursuant to this section without good cause shall result in imprisonment for not more than thirty
24 days;

25 (2) Unless a greater penalty is provided by the laws of the state, any person convicted a
26 second or subsequent time for the same offense under this section shall be guilty of a

1 misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred
2 dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such
3 fine and imprisonment;

4 (3) Any person failing to pay the proper fare, fee or other charge for use of the facilities
5 and conveyances of the agency shall be subject to payment of such charge as part of the judgment
6 against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to
7 the appropriate agency official;

8 (4) All juvenile offenders violating the provisions of this section shall be subject to the
9 jurisdiction of the juvenile court as provided in chapter 211;

10 (5) As used in this section, the term "conviction" shall include all pleas of guilty and
11 findings of guilt.

12 5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay
13 the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state
14 development agency, as described in subdivision (3) of subsection 4 of this section, shall, in
15 addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall
16 be required to reimburse costs attributable to the enforcement, investigation, and prosecution of
17 such offense by the bi-state development agency. The court shall direct the reimbursement
18 proceeds to the appropriate agency official.

19 6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency
20 property by the agency and parked or stored elsewhere at the risk and expense of the owner;

21 (2) Motor vehicles which are left unattended or abandoned on the property of the agency
22 for a period of over seventy-two hours may be removed as provided for in section 304.155, except
23 that the removal may be authorized by personnel designated by the agency under section 70.378.”;
24 and

25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

